



MEMO ENDORSED

[Handwritten signature]
JUL 23 2008

MICHAEL A. CARDOZO
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

BENJAMIN E. STOCKMAN
Assistant Corporation Counsel
(212) 788-1177
(212) 788-9776 (fax)
bstockma@law.nyc.gov

July 23, 2008

BY HAND

Honorable Debra C. Freeman
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

FILED
JUL 23 2008
7/23/08

Re: Michael "Mohammad" Pullum v. City of New York, et al.
08 Civ. 105 (KPC)(DCF)

Your Honor:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for defendants City of New York, Pena and Gunn-Welsh in the above-referenced matter, in which the Court previously granted defendants until July 31, 2008 to respond to the complaint in this matter.¹ Without appearing or making any representations on behalf of defendants Ramirez, Grant, Purdie, Tejada and Davis, I write to respectfully request that their time to file an answer to the complaint in this action be enlarged an additional two weeks to and including August 14, 2008 so that their defenses are not jeopardized while representational issues are being decided. Plaintiff does not consent to this request because he believes that defendants have already had enough time to respond.

A further two week enlargement of time is necessary so that this office can make the requisite representational decisions as to defendants Ramirez, Pena, Grant, Purdie, Tejada and Davis. Pursuant to Section 50-K of the New York General Municipal Law, the Corporation Counsel's office must determine based on a review of the facts of the case, whether we may represent these officers. If the Corporation Counsel's office determines that it can represent them in this matter, they must then decide whether they wish to be represented by the

¹ Today, the defendants City of New York, Pena and Gunn-Welsh filed their answer. On information and belief, defendants O'Neal and Walker have not been served with process in this matter. A review of the Court's docket sheet does not reflect service on these individuals and this office has not received requests for representation from them.

7-25-08
Copies sent to
Honorable Judge Freeman

Corporation Counsel, and if so, the Corporation Counsel's office must obtain his written authorization. While I have recently received requests for representation from these officers, for the following reasons I have been unable to confer with them regarding representation.

Officer Purdie is currently on vacation until August 4, 2008, and despite my best efforts, I have been unable to conduct the mandatory representational investigation. Further, defendant Davis has just today returned to work from extended sick leave, and despite my best efforts, I have been unable to conduct the mandatory representational investigation and conduct a representational interview. Finally, despite leaving several messages for defendants Ramirez, Tejada, and Pena at their precincts, I have not yet been able to confer with them regarding representation. Due to a previously scheduled vacation, I will be out of the office from July 24 through August 1, 2008. As a result, an enlargement of time will afford this office an opportunity to complete its investigation upon my return from vacation.

Accordingly, I respectfully request that defendants Ramirez, Pena, Grant, Purdie, Tejada and Davis time to answer or otherwise respond to the complaint be enlarged to and including August 14, 2008.

I thank the Court for its time and consideration of this request.

Respectfully submitted,



Benjamin E. Stockman
Assistant Corporation Counsel
Special Federal Litigation Division

cc: Michael "Mohammad" Pullum, plaintiff *pro se*
1135 Eastern Parkway
Brooklyn, NY 11237 (By First Class Mail)

SO ORDERED: DATE: 7/25/08

..........
DEBRA FREEMAN
UNITED STATES MAGISTRATE JUDGE